



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:

Paul V. Campo and Linda A. Campo

Debtor.

Case No.: 18-31138 JKS

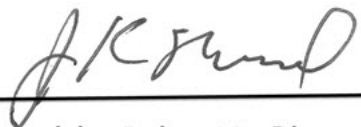
Judge: Hon. John K. Sherwood

Order Filed on January 17, 2019
by Clerk U.S. Bankruptcy Court
District of New Jersey

ORDER REGARDING REAFFIRMATION AGREEMENT

The relief set forth on the following pages numbered two (2) is hereby **ORDERED**.

DATED: January 17, 2019



Honorable John K. Sherwood
United States Bankruptcy Court

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Order Regarding Reaffirmation Agreement
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The Reaffirmation Agreement between the Debtor and ACAR Leasing LTD hereby **DISAPPROVED**. The Court concludes that the subject of the Reaffirmation Agreement is in fact a personal property lease. Because the underlying agreement before the court is a lease, the only relevant Bankruptcy Code provision for Debtor to continue to enjoy the benefits and endure the corresponding obligations arising from use of the personal property subject to the agreement is Section 365(p), not Section 524. The parties may enter into a lease assumption agreement without need for court approval. *In re Bailly*, 522 B.R. 711, 718 (Bankr. M.D. Fla. 2014).

IT IS FURTHER ORDERED that in accordance with D.N.J. LBR 4001-2:

A lessor does not violate the automatic stay imposed by § 362 of the Code or the discharge injunction imposed by § 524 of the Code when it sends any of the following documents to the debtor:

- (1) a regular monthly statement or payment coupon;
- (2) a reminder statement which is informational only and does not demand payment;
- (3) a notice of the status of an escrow account, including a notice regarding calculation of a new monthly payment based on a change in the property tax or insurance premium; or
- (4) a notice of an adjustment to a variable rate monthly mortgage payment resulting from a change in the interest rate.

IT IS FURTHER ORDERED that any hearing currently scheduled on the Reaffirmation Agreement is hereby cancelled. No appearance(s) are necessary.